

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

DAMION G. DAVIS,

Plaintiff,

v.

OFFICER MILLER, *et al.*,

Defendants.

No. 1:18-CV-02286

(Chief Judge Brann)

(Chief Magistrate Judge Mehalchick)

**ORDER**

**FEBRUARY 10, 2023**

Damion G. Davis filed this second amended 42 U.S.C. § 1983 civil rights complaint alleging that several individuals violated his civil rights.<sup>1</sup> On January 4, 2023, Chief Magistrate Judge Karoline Mehalchick issued a Report and Recommendation recommending that this Court deny Davis' motions for sanctions and motion for summary judgment.<sup>2</sup> No timely objections were filed to this Report and Recommendation.

Where no objection is made to a report and recommendation, this Court will review the recommendation only for clear error.<sup>3</sup> Regardless of whether objections are made, district courts may accept, reject, or modify—in whole or in part—the

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<sup>1</sup> Doc. 56.

<sup>2</sup> Doc. 127.

<sup>3</sup> Fed. R. Civ. P. 72(b), advisory committee notes; *see Henderson v. Carlson*, 812 F.2d 874, 878 (3d Cir. 1987) (explaining that court should in some manner review recommendations regardless of whether objections were filed).

findings or recommendations made by the magistrate judge.<sup>4</sup> Upon review of the record, the Court finds no error in Chief Magistrate Judge Mehalchick's conclusion that Davis' motions should be denied. Consequently, **IT IS HEREBY ORDERED** that:

1. Chief Magistrate Judge Karoline Mehalchick's Report and Recommendation (Doc. 127) is **ADOPTED**;
2. Davis' motions for sanctions (Docs. 116, 119) are **DENIED**;
3. Davis' motion for summary judgment (Doc. 118) is **DENIED**; and
4. This matter is **REMANDED** to Chief Magistrate Judge Mehalchick for further proceedings.

BY THE COURT:

*s/ Matthew W. Brann*

Matthew W. Brann  
Chief United States District Judge

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<sup>4</sup> 28 U.S.C. § 636(b)(1); Local Rule 72.31.